

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

RODERICK WISE, an individual,

Plaintiff,

V.

SOUTHERN TIER EXPRESS, INC., a New York corporation; DOES I through X; and ROE CORPORATIONS I through X, inclusive,

Defendants.

Case No. 2:15-cv-01219-APG-PAL

**ORDER DENYING MOTION IN
LIMINE NO. 3 (“ATTORNEY-DRIVEN OR
MEDICAL-BUILDUP CASE”)**

(ECF No. 81)

ROE CORPORATIONS I through X,
inclusive,

Defendants.

Plaintiff Roderick Wise moves to exclude testimony, evidence, and references to this case being an “attorney-driven or medical-buildup case.” ECF No. 81. The defendant responds it must be permitted to argue that the facts of this incident and subsequent treatment do not justify the large damage award Wise seeks. ECF No. 99.

I deny Wise's motion without prejudice to object to particular arguments at trial. The defendant may make arguments to the jury so long as those arguments are supported by the evidence elicited at trial. *See Alexander v. Wal-Mart Stores, Inc.*, No. 2:11-CV-00752-JCM-PAL, 2013 WL 427132, at *6 (D. Nev. Feb. 1, 2013).

Therefore, Wise's motion in limine (ECF No. 81) is DENIED.

DATED this 10th day of July, 2017.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE